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**DATE** • May 31, 2006

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**CLIENT/MATTER** 60005161-0168

**FROM** Saul L. Zackson, Ph.D.

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Kathryn M. Barton

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Type of Paper  
transmitted:

Request for Certificate of Correction including PTO/SB/44.

Applicant's Name:

Herbert W. Virgin

Patent No.:

7,041,444

Issue  
Date:

May 9, 2006

Application No.:

10/757,832

Examiner:

Stacy B. Chen

Filing Date:

January 14, 2004

Art Unit:

1648

Confirmation No.:

5585

Title:

Murine Calicivirus

Original will NOT be mailed

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Attorney Docket No. 60005161-0168

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. 10/757,832	)	Examiner: Stacy Brown Chen
	)	
Applicant: Herbert W. Virgin	)	Group Art Unit: 1648
	)	
Filed: January 14, 2004	)	Confirmation No.: 5585
	)	
Docket No.: 60005161-0168	)	

May 31, 2006

**VIA FACSIMILE - 1-571-273-8300**  
ATTN: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 223130-1450

**REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 CFR §1.322**

To the Commissioner:

This paper addresses correction of US Patent 7,041,444, which recently issued from the above-cited application. Following communications with Examiner Stacy Chen, in which the Examiner requested cooperation in the correction of mistakes by the Patent Office, please correct the entire claim set as follows, replacing all the claims in columns 55 and 56 of the patent as published with the following as outlined in attached PTO/SB/44:

1. A method for determining whether a mouse has been infected with murine norovirus-1 (MNV-1), the method comprising determining presence, absence or quantity of antibody against MNV-1 in a fluid or tissue sample of a mouse, whereby presence in the sample of antibody against MNV-1 indicates that the mouse has been infected with MNV-1, by:
  - a) contacting the fluid or tissue sample with at least one MNV-1 polypeptide; and
  - b) detecting binding of the at least one MNV-1 polypeptide to antibody against MNV-1 if present in the sample, wherein the antibody binds to MNV-1 deposited as

JUN 2 2006

American Type Culture Collection (ATCC) Deposit No. PTA-5935 or to a polypeptide encoded by the genome of the deposited MNV-1.

2. A method in accordance with claim 1, wherein detecting binding comprises detecting MNV-1 antibody bound to the at least one MNV-1 polypeptide with a labeled antibody that detects presence of mouse antibody.

3. A method in accordance with claim 1, wherein the at least one MNV-1 polypeptide is immobilized on a solid immunosorbent surface.

4. A method in accordance with claim 3, wherein the solid immunosorbent surface is an ELISA plate.

5. A method in accordance with claim 1, wherein the fluid or tissue sample of the mouse is a serum sample of the mouse.

6. A method in accordance with claim 1, wherein the at least one MNV-1 polypeptide comprises at least 20 contiguous amino acids.

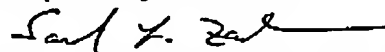
7. A method in accordance with claim 1, wherein the at least one MNV-1 polypeptide is an MNV-1 capsid protein.

Applicant advises that support for the changes to Claims 1-3 and 5-7 can be found in the Supplemental Notice of Allowability dated April 12, 2006. Claim 4 was added in the Amendment and Response filed December 22, 2005.

#### Conclusion

Applicant does not believe that there is a charge associated with the filing of this Certificate of Correction, as the mistakes are entirely those of the PTO. However, any applicable fees can be charged to Deposit Account 19-3140.

Respectfully submitted,



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23200105V-2

PTO/SB/44 (04-05)

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## UNITED STATES PATENT AND TRADEMARK OFFICE

# CERTIFICATE OF CORRECTION

PATENT NO.: 7,041,444

APPLICATION NO.: 10/757,832

ISSUE DATE: May 9, 2006

INVENTOR(S): Herbert W. Virgin

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 1 of 3

### Column 55

Lines 33-39, replace claim 1 with the following:

1. A method for determining whether a mouse has been infected with murine norovirus-1 (MNV-1), the method comprising determining presence, absence or quantity of antibody against MNV-1 in a fluid or tissue sample of a mouse, whereby presence in the sample of antibody against MNV-1 indicates that the mouse has been infected with MNV-1, by:

- a) contacting the fluid or tissue sample with at least one MNV-1 polypeptide; and
- b) detecting binding of the at least one MNV-1 polypeptide to antibody against MNV-1 if present in the sample, wherein the antibody binds to MNV-1 deposited as American Type Culture Collection (ATCC) Deposit No. PTA-5935 or to a polypeptide encoded by the genome of the deposited MNV-1.

Lines 40-46, replace claim 2 with the following:

2. A method in accordance with claim 1, wherein detecting binding comprises detecting MNV-1 antibody bound to the at least one MNV-1 polypeptide with a labeled antibody that detects presence of mouse antibody.

Lines 47-50, replace claim 3 with the following:

3. A method in accordance with claim 1, wherein the at least one MNV-1 polypeptide is immobilized on a solid immunosorbent surface.

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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

### CERTIFICATE OF CORRECTION

PATENT NO.: 7,041,444

APPLICATION NO.: 10/757,832

ISSUE DATE: May 9, 2006

INVENTOR(S): Herbert W. Virgin

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 2 of 3

Column 56

Lines 32-34, replace claim 4 with the following:

4. A method in accordance with claim 3, wherein the solid immunosorbent surface is an ELISA plate.

Lines 35-36, replace claim 5 with the following:

5. A method in accordance with claim 1, wherein the fluid or tissue sample of the mouse is a serum sample of the mouse.

Lines 37-40, replace claim 6 with the following:

6. A method in accordance with claim 1, wherein the at least one MNV-1 polypeptide comprises at least 20 contiguous amino acids.

Lines 41-43, replace claim 7 with the following:

7. A method in accordance with claim 1, wherein the at least one MNV-1 polypeptide is an MNV-1 capsid protein.

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PTO/SB/44 (04-05)

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# UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF CORRECTION

PATENT NO.: 7,041,444

APPLICATION NO.: 10/757,832

ISSUE DATE: May 9, 2006

INVENTOR(S): Herbert W. Virgin

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 3 of 3

Column 56

Lines 44-48, consisting of Claims 8 and 9, should be eliminated.

MAILING ADDRESS OF SENDER: Saul L. Jackson, Ph.D.  
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